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Attorney for Defendant
Anthony Keslinke

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY KESLINKE,

Defendant.

Case No. CR 14-00237 JST

**STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING STATUS CONFERENCE
AND EXCLUDING TIME FROM THE
SPEEDY TRIAL ACT CALCULATION (18
U.S.C. § 3161(h)(7)(A))**

This case is set for a status conference on January 30, 2015, in Oakland. This case involves criminal charges arising from two unrelated sets of facts, and the discovery for each is substantial. In addition, there are related civil forfeiture matters involving complex factual and legal issues. Counsel for the defendant and counsel for the government have been discussing a resolution of the criminal charges as well as the related civil forfeiture matters. However, the parties need additional time to review and analyze those issues in order to reach a resolution.

The parties jointly request a continuance of the status conference to give defense counsel sufficient time to review discovery and the legal issues related to any potential resolution. The

1 parties request a continuance until February 27, 2015 at 9:30 a.m. and agree that excluding time until
2 February 27, 2015 would be appropriate to allow defense counsel time to review the large amount of
3 discovery in the case. The parties also agree that excluding time until February 27, 2015, would be
4 appropriate based on continuity of counsel, given the counsel's schedules (defense counsel will be
5 out of the country on another matter the week of February 16).

6 Therefore, the parties agree, and the Court finds and holds, as follows:

7 1. The defendant is currently out of custody.

8 2. Given the need for additional time for defense counsel to review discovery, an exclusion of
9 time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv), is appropriate to allow for effective
10 preparation of counsel, taking into account the exercise of due diligence. In addition, the Court finds
11 that it is appropriate to exclude time based on continuity of counsel, given defense counsel's
12 schedule. The defendant agrees to this exclusion on the condition that his right to bring motions
13 claiming Speedy Trial Act violations prior to January 30, 2015, shall remain preserved.

14 3. Counsel for the defendant believes that the exclusion of time is in her client's best interest.

15 4. Given these circumstances, the Court finds that the ends of justice served by excluding the
16 period from January 30, 2015 through February 27, 2015, outweigh the best interest of the public
17 and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

18 5. Accordingly, the Court orders that the period from January 30, 2015, to February 27, 2015,
19 shall be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

20 6. The status conference is continued to February 27, 2015, at 9:30 a.m.

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1 IT IS SO STIPULATED:

2 DATED: January 26, 2015

_____/s_____
3 MARTHA BOERSCH
4 Attorney for Anthony Keslinke
5

6 DATED: January 26, 2015

_____/s_____
7 AARON D. WEGNER
8 Assistant United States Attorney
9

10 **PROPOSED ORDER**

11 Based on the stipulation of the parties and the record herein,

12 IT IS SO ORDERED.

13 DATED: January 27, 2015

